

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>COTTMAN TRANSMISSION SYSTEMS, LLC, Plaintiff,  v.  RICHARD HOOVER and COUNTYLINE TRANSMISSION, LLC, Defendants.</b>	: : : : : : : : : : : :	<b>CIVIL ACTION  NO. 12-3631</b>
--	--	--

**ORDER**

**AND NOW**, this 5th day of December 2012, upon receipt of the attached letter from counsel, it is hereby **ORDERED** that the parties' joint request for an extension of the discovery deadlines is **GRANTED**. The October 18, 2012 Scheduling Order is **AMENDED** as follows:

1. Fact discovery shall be completed by **May 1, 2013**.
2. Expert reports must be completed and served by **June 28, 2013**. Rebuttal reports must be completed by **August 1, 2013**. Expert discovery shall be completed by **September 3, 2013**.
3. All motions for summary judgment and partial summary judgment shall be filed on or before **October 1, 2013**. The parties shall conform their motions and any responses, replies, or sur-replies to the form and schedule outlined in Attachment A.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

---

**CYNTHIA M. RUFÉ, J.**

**Attachment A**

**Judge Rufe's Required Procedure on Summary  
Judgment for Those Moving under Rule 56**

1. **Initial Filing of Moving Party:** A party referred to in Rule 56 and moving under Rule 56 may move without reference to supporting affidavits or other evidence and, in doing so, the party making the motion shall:
  - (1) identify in outline form the issue(s) and/or sub-issue(s) as to which the Motion is directed;
  - (2) provide a separate, short and concise Statement of Stipulated Material Facts, as described below;
  - (3) affirm, on the basis prescribed in Rule 11, that there is no legally sufficient evidentiary basis to support the issues so identified; and
  - (4) request judgment as provided in Rule 56(c).

The initial filing by the moving party generally should not exceed five (5) double-spaced, type-written pages, excluding the Statement of Stipulated Material Facts.

*No later than fourteen (14) days prior to the case dispositive motion deadline outlined in the Court's scheduling order, the parties shall meet and confer as to the facts material to the case. The initial filing of the moving party must include a short and concise Statement of Stipulated Material Facts, which sets forth, in numbered paragraphs, the material facts that the parties agree are not in dispute. Only the facts that bear on material issues shall be included.*

2. **Response of Non-Moving Party:** The non-moving party may file a Response within twenty-one (21) days after the Motion for Summary Judgment is served. The Response, subject to the provisions of Rule 56, shall be supported with affidavits, depositions, documents or other evidence permitted by those provisions. Where applicable, references to such evidence must include specific citations to exhibit, page, and line number. The Response may not exceed twenty-five (25) pages.
3. **Reply of Moving Party:** The movant shall file a Reply as permitted by Rule 56. Such a Reply must be filed not later than fourteen (14) days after receipt of the Response from the non-moving party. The Reply must specify the relevant exhibit, page, and line numbers when referring to the record. The Reply may not exceed twenty-five (25) pages.
4. **Sur-Reply of Non-Moving Party (Optional):** The non-moving party may, within seven (7) days after the Reply is received, file a Sur-reply to the Reply described in paragraph 3 above. The Sur-reply must specify the relevant exhibit, page, and line numbers when referring to the record. The Sur-reply may not exceed ten (10) pages.

*The purpose of this procedure is to encourage the parties in their dispositive motion to track the natural order of trial where the plaintiff sets forth its cause and the defendant then responds.*